

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CENTURY 21 REAL ESTATE CORPORATION)

Plaintiff,)

v.)

DENNEHY, BARNES, VENTURES, INC.,)
JOHN S. DENNEHY and THOMAS BARNES,)

Defendants.)

CIVIL ACTION NO. 04-10785DPW

JOINT STATEMENT FOR SCHEDULING CONFERENCE

Pursuant to Fed. R. Civ. P. 16(b), Local Rule 16.1 and this Court's Notice of Scheduling Conference, dated June 1, 2004, the parties submit this Joint Statement setting forth their proposed discovery plans and motion schedules. The parties will file separately their respective certifications.

A. Proposed Discovery Plan

The parties the following discovery schedule:

1. Initial Disclosures completed on or before July 31, 2004.
2. Close of discovery on December 31, 2004.
3. Plaintiff shall disclose its expert witness(es) on or before January 31, 2005.
4. Defendants shall disclose their expert witness(es) on or before February 28, 2005

B. Proposed Motion Schedule

The parties propose that all motions pursuant to Rule 56 be filed on or before thirty (30) days after the last expert disclosure. Oppositions to such motions shall be due within thirty (30) days of service. Reply Memorandum may be filed no later than ten (10) days after service of any opposition.

C. Matters To Be Discussed At Scheduling Conference

Scheduling of hearing on pending motion for preliminary injunction and motion of plaintiff to amend its complaint.

D. Trial By Magistrate Judge

Neither party consents to trial by magistrate judge in this matter.

Respectfully submitted,

<p>CENTURY 21 REAL ESTATE CORPORATION</p> <p>By its attorneys,</p> <p><u>/s/ G. Rubenstein</u></p> <p>Arthur L. Pressman (BBO #643094) Gregg A. Rubenstein (BBO #639680) NIXON PEABODY LLP 100 Summer Street Boston, Massachusetts 02110 (617) 345-1000</p>	<p>DENNEHY, BARNES, VENTURES, INC. and THOMAS BARNES</p> <p>By their attorneys,</p> <p><u>/s/ K. Small</u></p> <p>Kenneth D. Small (BBO #567868) Pamela Zorn (BBO #640800) SHERIN AND LODGEN LLP 100 Summer Street Boston, Massachusetts 02110 (617) 646-2000</p>
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